

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 1:11-cr-83-01-JL
	)	
PAUL WILSON	)	

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PARTIES' AGREED TO PROPOSED PROTECTIVE  
ORDER REGARDING DISCLOSURE OF SEALED DOCUMENTS

The United States of America; defendant Paul Wilson, through his counsel, Peter Anderson, Esq.; and defendant James Bender, through his counsel, Thomas Hoopes, Esq., request that the Court issue the following Proposed Protective Order Regarding Sealed Documents the Court has permitted the United States to provide in discovery in United States v. James Bender, docket No. 12-cr-65-01-PB:

Protective Order

- (1) The following definitions apply to terminology used in this order:
  - (a) "Defendant" means James Bender; his defense counsel, Thomas Hoopes, Esq.; and Attorney Hoopes' partners, associates, secretaries, paralegal assistants, and employees, but only to the extent reasonably necessary to render professional services in this case; and
  - (b) "Confidential material" means the Revised Presentence Investigation Report dated July 18, 2012; the United States' Partially Assented to Sentencing Motion and Memorandum; and defendant Paul Wilson's Sentencing Memorandum and supporting materials.
- (2) To comply with its discovery and due process obligations, the United States is authorized to disclose confidential material to the defendant.

(3) The defendant and any person to whom the defendant or the United States discloses confidential material, as permitted by this Order, must be shown a copy of this Order.

(4) The defendant, any person to whom the defendant discloses confidential material, and any person to whom the United States discloses confidential material, shall not make any further disclosure of the confidential material, except as provided herein, absent further order of this Court.

(5) The confidential material, including all copies thereof, may be disclosed by the defendant to another person only for the purpose of assisting the defendant in preparing a defense in this case, and may be disclosed by the attorneys for the United States only for the purpose of assisting the United States in preparing its prosecution or complying with its discovery obligations in this case. The defendants and those persons to whom they disclose confidential material in accordance with this Order shall not make any copies of the material, reveal the contents of the material, or use the information contained therein, for any purpose other than preparing a defense in this case. The persons to whom the United States discloses confidential material in accordance with this Order shall not make any copies of the material, reveal the contents of the material, or use the information contained therein, for any purpose other than assisting the United States in preparing for prosecution or complying with its discovery obligations in this case.

(6) All confidential material, and any copies thereof, disclosed to the defendant or third parties shall be returned to defense counsel at the earliest of: (a) the end of this case and any appeals; or (b) such time as it is no longer necessary for the person to possess such material. At the end of this case and any appeals, defense counsel shall certify in writing to attorneys for the United States that they have received all confidential material and copies that were given to the

defendant or third parties. Also at that time, defense counsel shall either destroy all confidential material or return it to attorneys for the United States. If the confidential material is destroyed, defense counsel shall certify in writing to the attorneys for the United States that such material has been destroyed.

Respectfully submitted,

JOHN P. KACAVAS  
United States Attorney

Dated: April 29, 2013

By: /s/Mark S. Zuckerman

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### **CERTIFICATION**

I hereby certify that a copy of this Agreed To Protective Order has been served conventionally and via ECF on Peter D. Anderson, Esq., 900 Elm Street, PO Box 326, Manchester, NH 03105-0326, counsel for defendant Paul Wilson; and via email and conventionally on Thomas M. Hoopes, Esq., 175 Federal Street, Boston, MA 02110, counsel for defendant James Bender, on April 29, 2013.

/s/Mark S. Zuckerman

Mark S. Zuckerman  
Assistant United States Attorney

GRANTED.  
April 30, 2013

  
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Chief Judge Joseph N. Laplante